Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

Applicant/Contact name and address: **Ted R. Beck**
325 Sun Ridge Lane
Deer Lodge, MT 59722-9797

Montana, State of Board of Land Management
Trust Land Management Division
PO BOX 201601
Helena, MT 59722-1601

1. Type of action: **Application to Change a Water Right 30029768 76G**

2. Water source name: **Sand Hollow**

3. Location affected by project: **Sec. 31, T06N R08W and Sec. 21, 23, 25, T06N R09W, Deer Lodge County.**

4. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The project is intended to reduce the impacts of cattle on riparian areas by adding dispersed stock tanks to the current system design for better range management. The applicant proposes to add stock tanks to Sec. 21, 26, T06N R09W, Deer Lodge County and to add a storage tank of up to 17,500 gallons in the W2W2NE of Sec. 36, T06N R9W, Deer Lodge County.

The DNRC shall issue an authorization to change to the applicant if the criteria in 85-2-402, MCA are met.

5. Agencies consulted during preparation of the Environmental Assessment:
(Include agencies with overlapping jurisdiction)

MT Natural Heritage Program - Species of Concern, T/E
The Montana Noxious Weed Survey and Mapping System
Montana Fish, Wildlife, and Parks- Montana Fisheries Information System

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

Determination: **No significant impact. DFWP did not list this source as chronically or periodically dewatered.**

Water quality *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: **No significant impact. DEQ did not list this source as water quality impaired or threatened.**

Groundwater *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: **No significant impact.**

DIVERSION WORKS *- Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: **No significant impact. The proposed means of diversions are stock drinking direct from the source and gravity fed pipeline which feed a float controlled storage tank and five stock tanks.**

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species *- Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: **No significant impact. The MT Natural Heritage Program identified the Gray Wolf*, Canis lupus, Castilleja exilis,* Canada Lynx*, Lynx Canadensis,* Wolverine*, Gulo gulo,* Westslope Cutthroat Trout*, Oncorhynchus clarkii lewisi,* as species of special concern in the vicinity of the project.**

Gray Wolves can have large migratory ranges in the far northwestern North America and will move as required to remain with a prey item. They occur in terrestrial habitats consisting of alpine, deserts, forest, grasslands, savanna, shrubland/chaparral, tundra, and woodlands. They exhibit no habitat preferences. The degree of threat (B) includes

extermination from large areas through trapping, shooting, poisoning, and reduction in prey populations. The Gray wolf is threatened by direct human-caused mortality and possibly habitat loss. Landscape changes from development loss may interfere with restoration in some areas. The threats to the northern Rocky Mountain wolf population have been reduced or eliminated as evidenced by the population exceeding the recovery goals each year since 2002 (USFWS 2006).

Canada Lynx generally occur in boreal and montane regions dominated by coniferous or mixed forest with thick undergrowth; may also enter open forest, rocky areas, and tundra to forage for abundant prey.

Wolverines occupy a large range in northern Canada and Alaska, and occur in Montana and Idaho in smaller populations. Densities in Montana range from one wolverine in Montana per every 65 sq km and to less than one per every 200 sq km in northern British Columbia. Declines in population may be primarily due to fur trapping and habitat degradation through timber harvest, ski area construction, road construction, and general human disturbances.

Westslope cutthroat trout migrate between upstream/spawning and lake /non-spawning and prefer riverine (creek and medium river) and lacustrine habitats. This species of fish occurs in small mountain streams, main rivers, and large natural lakes. The degree of threat (B) includes hybridization, loss/degradation of habitat from logging, road construction, mining and grazing. This species is sensitive to pollution and high turbidity/stream siltation. Dams, irrigation diversions, and other migratory barriers have degraded critical habitat and increased the already drastic levels of species fragmentation.

The stock watering system is currently in use and it is unlikely that the proposed project would impact these widespread species.

Wetlands *- Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

Determination: **No significant impact.**

Ponds *- For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: **No significant impact.**

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE *- Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

Determination: **No significant impact.**

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

Determination: **No significant impact. The Montana Noxious Weed Survey and Mapping System identified Spotted Knapweed and Leafy Spurge in the project vicinity, Dalmatian Toadflax was absent and Russian Knapweed and Sulfur Cinquefoil were unknown. Since this change application is for the relocation of the water right and the proposed means of diversion and place of use are already complete, there would be minimal disturbance to soils. The landowner is responsible for controlling any establishment of noxious weed as a result of disturbance.**

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: **No significant impact.**

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: **No significant impact. The State Historic Preservation Office was not contacted about this proposed project. The land has been historically used for fish and wildlife and recreation purposes and would have already disturbed any historic sites. Since the property is located on federal land, the decision to conduct a cultural inventory would be at the discretion of the land manager.**

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: **No significant impact. The proposed project should not cause any additional impacts on land water or energy resources.**

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: **No significant impact.**

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: **No significant impact.**

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: **No significant impact.**

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No_**X**__ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: **No impact.**

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

1. ***Impacts on:***

(a) *Cultural uniqueness and diversity?* **No significant impact**.

(*b)* *Local and state tax base and tax revenues?* **No significant impact**.

(c) *Existing land uses?* **No significant impact.**

(*d)* *Quantity and distribution of employment?* **No significant impact.**

(e) *Distribution and density of population and housing?* **No significant impact.**

(f) *Demands for government services?* **No significant impact.**

(g) *Industrial and commercial activity?* **No significant impact.**

(h) *Utilities?* **No significant impact.**

(i) *Transportation?* **No significant impact.**

(j) *Safety?* **No significant impact.**

(k) *Other appropriate social and economic circumstances?* **No significant impact.**

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: **No impacts were identified.**

Cumulative Impacts: **No impacts were identified.**

3. *Describe any mitigation/stipulation measures:* **None**

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider*:
Under the no action alternative, the project would continue to be used as it is today. There do not appear to be alternatives.

PART III. Conclusion

1. *Preferred Alternative:* **Issue the authorization for the proposed project.**

2. *Comments and Responses:* **There have been no comments or responses.**

3. *Finding:*
Yes___ No_X__ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: **An EA is the appropriate level of analysis for this action. There are no significant impacts identified, therefore an EIS is not required.**

Name of person(s) responsible for preparation of EA:

Name: **Lindsay Volpe**
Title: **Water Resource Specialist**
Date: **11/07/2007**